

**REMARKS / ARGUMENTS**

The present application includes pending claims 1-32, all of which have been rejected. By this Amendment, claims 2-4, 7, 8, 11-13, 16, 18, 19, 22, 24, 25 and 28 have been amended, as set forth above, to further clarify the language used in these claims and to further prosecution of the present application. The Applicant respectfully submits that the claims define patentable subject matter.

Initially, the Applicant notes that a goal of patent examination is to provide a prompt and complete examination of a patent application.

It is essential that patent applicants obtain a prompt yet complete examination of their applications. Under the principles of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the *initial review* of the application, even if one or more claims are found to be deficient with respect to some statutory requirement. Thus, Office personnel *should* state *all* reasons and bases for rejecting claims in the *first* Office action. Deficiencies should be explained clearly, particularly when they serve as a basis for a rejection. Whenever practicable, Office personnel should indicate how rejections may be overcome and how problems may be resolved. A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.

See Manual of Patent Examining Procedure (MPEP) § 2106(II). As such, the Applicant assumes, based on the goals of patent examination noted above, that the present Office Action has set forth “all reasons and bases” for rejecting the claims.

Claim 2 was objected to because of informality. The Applicant has

amended claim 2 as set forth above to overcome this informality. Claim 12 was objected to under 37 CFR 1.75(c), as being of improper dependent form. Claims 11-13 have accordingly been amended as set forth above. Claims 1-32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,974,453, issued to Anderson et al. (hereinafter, Anderson).

## **REJECTION UNDER 35 U.S.C. § 102**

### **I. Anderson Does Not Anticipate Claims 1-32**

The Applicant now turns to the rejection of claims 1-32 under 35 U.S.C. 102(b) as being anticipated by Anderson. With regard to the anticipation rejections under 102(b), MPEP 2131 states that “[a] claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See Manual of Patent Examining Procedure (MPEP) at 2131 (internal citation omitted). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” See *id.* (internal citation omitted).

**A. Rejection of Independent Claims 1, 5 and 9 under 35 U.S.C. § 102 (b)**

With regard to the rejection of independent claims 1,5 and 9 under 35 U.S.C. § 102(b), the Applicant submits that Anderson does not disclose or suggest at least the limitation of “acquiring a security code from a second communication device by a first communication device,” as recited by the Applicant in independent claim 1. More specifically, Anderson does not teach “acquiring a security code”. The Office Action refers for support to Anderson, column 3, lines 20-28:

For example, in the system of FIG. 1, one embodiment of the present invention allows a caller (device 130) to contact an intermittently connected device 115 (callee) using a static identifier. In one embodiment, the intermittently connected device 115 is a personal computer which is connected to the Internet 100 using a dial-up connection through an Internet service provider 120. The Internet service provider 120 assigns a temporary IP address (W.X.Y.Z) to the personal computer.

The Applicant submits that there is no mention of “security code” or “acquiring ... from a second communication device by a first communication device”.

Furthermore, the Applicant submits that Anderson does not disclose or suggest at least the limitation of “receiving media containing said security code from said first communication device,” as recited by the Applicant in independent claim 1. The Office Action refers for support to Anderson, column 3, lines 28-41:

When a phone number is used as the static identifier, the calling device 130 can use that phone number to access the device 115 by

rearranging the phone number into a predefined format to form the host portion of a universal resource locator (URL) such as 7890.456.123.011.dircon.com. The use of an identifier in a predefined format as a variable portion of a URL under a fixed domain such as dir-con.com allows a single scalable name resolution system to perform the necessary URL translations. The remainder of the system illustrated in FIG. 1 performs the translation to provide the device 130 with the dynamically assigned IP address W.X.Y.Z such that the calling device 130 may gain access to the device 115.

The Applicant fails to see any part of the Applicant's limitation supported by the cited passage in Anderson. The Applicant notes in particular that there is no suggestion or teaching of "media containing said security code" in the cited text provided by the Examiner.

Moreover, the Applicant submits that Anderson does not disclose or suggest at least the limitation of "translating said security code to an IP address corresponding to said second communication device," as recited by the Applicant in independent claim 1. The Office Action refers for support to Anderson, column 3, lines 28-34:

When a phone number is used as the static identifier, the calling device 130 can use that phone number to access the device 115 by rearranging the phone number into a predefined format to form the host portion of a universal resource locator (URL) such as 7890.456.123.011.dircon.com.

The Applicant fails to see any part of the Applicant's limitation supported by the cited passage in Anderson. The Applicant notes in particular that there is no suggestion or teaching of "translating said security code to an IP address" in the

cited text provided by the Examiner.

Additionally, the Applicant submits that Anderson does not disclose or suggest at least the limitation of “routing said security code from said second communication device based on said IP address of said second communication device, said IP address of said second communication device remaining anonymous to said first communication device”, as recited by the Applicant in independent claim 1. The Office Action refers for support to Anderson, column 3, lines 28-34 and column 6, lines 57 – column 7, line 4:

Anderson, column 3, lines 28-34:

When a phone number is used as the static identifier, the calling device 130 can use that phone number to access the device 115 by rearranging the phone number into a predefined format to form the host portion of a universal resource locator (URL) such as 7890.456.123.011.dircon.com.

and Anderson column 6, lines 57 – column 7, line 4:

Once the system is set up, through a combination of actions by the host device and a hybrid DNS servers, the device may connect to the system using the procedure 60 shown in FIG. 4. First, as shown in step 400, a static identifier such as the phone number 011-123/456-7890 is chosen by the device. In step 405, this phone number is rearranged to form a DNS formatted name. First, in step 410, the digits of the phone number are reversed, resulting in the 65 least specific digits (i.e., the country code) being closest to the end of the device name. In general, DNS names are resolved from right to left with the highest hierarchical or least specific portion of the name being furthest on the right. Thus, reversing a phone number to form a domain name results in domain subdivision roughly based on geographical location.

The Applicant fails to see any part of the Applicant's limitation supported by the cited passage in Anderson. The Applicant notes in particular that there is no suggestion or teaching of "said IP address of said second communication device remaining anonymous to said first communication device" in the cited text provided by the Examiner.

Based on at least the arguments set forth above, the Applicant believes to have overcome the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Anderson. Accordingly, independent claim 1 is not anticipated by Anderson and be made allowable. Independent claims 5 and 9 are similar in many respects to claim 1 and have, in fact, been addressed together with claim 1 by the examiner in the Office Action. Therefore, the Applicant submits that independent claims 5 and 9 are also allowable over the references cited in the Office Action at least for the reasons stated above with regard to claim 1.

The Applicant reserves the right to argue further reasons beyond those set forth above to support the allowability of claims 1, 5 and 9.

**B. Rejection of Dependent Claims 2-4, 6-8 and 10-13**

Based on at least the foregoing, the Applicant believes the rejection of independent claims 1, 5 and 9 under 35 U.S.C. § 102(b) as being anticipated by

Anderson has been overcome and request that the rejection be withdrawn. Additionally, claims 2-4, 6-8 and 10-13 depend from independent claims 1, 5 and 9, respectively, and are, consequently, also respectfully submitted to be allowable.

The Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of claims 1-13.

**C. Rejection of Independent Claims 14, 20 and 26 under 35 U.S.C. § 102 (b)**

With regard to the rejection of independent claims 14, 20 and 26 under 35 U.S.C. § 102(b), the Applicant submits that Anderson does not disclose or suggest at least the limitation of “transferring security information associated with said second communication device to said first communication device,” as recited by the Applicant in independent claim 14. The Office Action refers for support to Anderson, column, lines 21-46. The Applicant notes that the Examiner cites 25 lines of text, close to half a column without providing further details as to where the support of the Applicant’s limitation may be found in the cited passage. The Applicant points out that the burden of proof lies with the Examiner and re-states the following passage from MPEP § 2106(II):

Thus, Office personnel *should* state *all* reasons and bases for rejecting claims in the *first* Office action. Deficiencies should be explained clearly, particularly when they serve as a basis for a rejection. Whenever practicable, Office personnel should indicate how rejections may be overcome and how problems may be

resolved.

In the Applicant's opinion, the Examiner fails to clearly explain and point out the above rejection. Notwithstanding, the Applicant fails to see how the passage cited may provide support for the Examiner's rejection as it does not provide for support at least "transferring security information".

Moreover, the Applicant submits that Anderson does not disclose or suggest at least the limitation of "receiving media along with at least a portion of said transferred security information from said first communication device," as recited by the Applicant in independent claim 14. The Office Action refers for support to Anderson, column 7, lines 21-46.

When authentication is performed, a secure link is established between each server in the hierarchy between the device logging on and the hybrid DNS server. As is known in the art, this secure link can be used to exchange a digital certificate which verifies that information has been transmitted without tampering, thus allowing a device's identity to be authenticated.

Next, as shown in step 430, the dynamically assigned IP address and the static identifier are sent to the hybrid DNS server. For example, in the system illustrated in FIG. 1, the IP address of W.X.Y.Z and the static identifier of 7890.456.123.011 are transmitted by the device 115 to the hybrid DNS server 135 and stored in the dynamic database 140.

Once the address and static identifier are stored in the dynamic database 140, the dynamic database can service requests for this address. From step 435, where such a request is received, the remaining steps of FIG. 4 may be performed by a hybrid DNS server such as the server 135 illustrated in FIG. 1. A request includes the static identifier associated with that address. The DNS front end 150 checks the DNS table 145 using a first resolve routine, and then passes the request to the dynamic database interface 155 which uses a second resolve routine to access the dynamic database. The



server 135 then returns the proper IP address to the requester as shown in step 440.

The Applicant notes that the Examiner cites 25 lines of text from Anderson, close to half a column without providing further details as to where the support of the Applicant's limitation may be found in the cited passage. In the Applicant's opinion, the Examiner fails to clearly explain and point out the above rejection. Notwithstanding, the Applicant fails to see how the passage cited may provide support for the Examiner's rejection as it does not provide for support at least "receiving media along with at least a portion of said transferred security information".

Moreover, the Applicant submits that Anderson does not disclose or suggest at least the limitation of "if said security information from said first communication device is valid, transferring said media from said first communication device to said second communication device" as recited by the Applicant in independent claim 14. The Office Action refers for support to Anderson, column ?, lines 21-64. Lines 21-46 are quoted above. Lines 47 through 64 are given below:

As time elapses, the server 135 periodically will check whether the device 115 has sent a keep-alive signal to maintain communication with the server as illustrated in step 445. If no keep-alive signal has been received after a predetermined duration, the server 135 will log the device off as shown in step 450. The duration is typically tracked by a timer and may be adjusted to compensate for usage loads or server capabilities.

If the keep-alive signal is regularly received from the device 115, the

server will continue to service requests for that device's IP address. Thus, as shown in step 455, if another request is received, the method returns to step 435 which results in the return of an IP address to satisfy that request. If no further requests are received, the server continues to verify that the device 115 is transmitting keep-alive signals. Notably, the server may execute steps 445 and 455 in response to interrupt signals generated by timers or incoming requests rather than looping between these steps.

The Applicant notes that the Examiner cites over 40 lines of text, three-quarters of a column, without providing further details as to where the support of the Applicant's limitation may be found in the cited passage. In the Applicant's opinion, the Examiner fails to clearly explain and point out the above rejection, as pointed out above. The Applicant fails to see how the cited passage may provide support for the Applicant's claim limitation.

Based on at least the arguments set forth above, the Applicant believes to have overcome the rejection of claim 14 under 35 U.S.C. § 102(b) as being anticipated by Anderson. Accordingly, independent claim 14 is not anticipated by Anderson and ought to be made allowable. Independent claims 20 and 26 are similar in many respects to claim 14 and have, in fact, been addressed together with claim 14 by the examiner in the Office Action. Therefore, the Applicant submits that independent claims 20 and 26 are also allowable over the references cited in the Office Action at least for the reasons stated above with regard to claim 14.

The Applicant reserves the right to argue further reasons beyond those set forth above to support the allowability of claims 14, 20 and 26.

**B. Rejection of Dependent Claims 15-19, 21-25 and 27-32**

Based on at least the foregoing, the Applicant believes the rejection of independent claims 14, 20 and 26 under 35 U.S.C. § 102(b) as being anticipated by Anderson has been overcome and request that the rejection be withdrawn. Additionally, claims 15-19, 21-25 and 27-32 depend from independent claims 14, 20 and 26, respectively, and are, consequently, also respectfully submitted to be allowable.

The Applicant reserves the right to argue further reasons beyond those set forth above to support the allowability of claims 14-32.

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### **CONCLUSION**

Based on at least the foregoing, the Applicant believes that all claims 1-32 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and request that the Examiner telephone the undersigned Attorney at (312) 775-8176.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

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